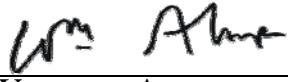


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6 IN THE UNITED STATES DISTRICT COURT  
7 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
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9 MARK THOMAS GRUNAU, ) No. C 10-5648 WHA (PR)  
10 Petitioner, ) **ORDER DENYING LEAVE TO PROCEED**  
11 v. ) **ON APPEAL IN FORMA PAUPERIS**  
12 RICK M. HILL, )  
13 Respondent. ) **(Docket No. 12)**  
14 \_\_\_\_\_ )  
15

16 This is a habeas corpus case filed by a state prisoner pursuant to 28 U.S.C. 2254. The  
17 petition was denied on its merits, and a certificate of appealability was denied in the same order.  
18 Petitioner has filed a notice of appeal and a motion for leave to proceed on appeal in forma  
19 pauperis. The certificate of appealability was denied because “no reasonable jurist would find  
20 the denial of his claims debatable or wrong.” *Slack v. McDaniel*, 529 U.S. 473, 484 (2000). For  
21 the same reason, petitioner’s appeal is not taken in “good faith” and consequently leave to  
22 proceed on appeal in forma pauperis is **DENIED**. *See* 28 U.S.C. § 1915(a)(3).

23 **IT IS SO ORDERED.**  
24 DATED: December 22, 2011

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27 WILLIAM ALSUP  
28 UNITED STATES DISTRICT JUDGE